

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DANIEL WAYNE BYERS

PETITIONER

v.

CAUSE NO. 1:15CV395-LG-MTP

MARSHALL TURNER, Warden

RESPONDENT

JUDGMENT

This matter having come on to be heard on the Report and Recommendation [14] entered by United States Magistrate Judge Michael T. Parker, the Court, after a full review and consideration for the Report and Recommendation, the pleadings on file, and the relevant legal authority, finds that in accord with the Order entered herewith,

IT IS ORDERED AND ADJUDGED that the Report and Recommendation [14] entered by United States Magistrate Judge Michael T. Parker is **REJECTED** to the extent that it addressed the unexhausted portions of Ground Three of the petition, which were subsequently removed from the petition at Byers' request. The Report and Recommendation [14] is **ADOPTED** as the opinion of this Court in all other respects. The petition is **DISMISSED WITH PREJUDICE**.

SO ORDERED AND ADJUDGED this the 16th day of September, 2017.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE